

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

Cindy Nguyen Sirois, M.D.

Case No. 800-2018-044837

**Physician's and Surgeon's
Certificate No. A 71013**

Respondent


DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on February 14, 2019.

IT IS SO ORDERED: January 15, 2019.

MEDICAL BOARD OF CALIFORNIA



**Kristina D. Lawson, J.D., Chair
Panel B**

1 XAVIER BECERRA
Attorney General of California
2 MARY CAIN-SIMON
Supervising Deputy Attorney General
3 JOSHUA M. TEMPLET
Deputy Attorney General
4 State Bar No. 267098
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 510-3533
6 Facsimile: (415) 703-5480
Attorneys for Complainant

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

13 **CINDY NGUYEN SIROIS, M.D.**
14 **7 Cayuga Road**
15 **Sea Ranch Lakes, FL 33308-2928**

16 **Physician's and Surgeon's Certificate**
17 **No. A 71013**

18 Respondent.

Case No. 800-2018-044837

OAH No. 2018090895

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

19
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
24 of California (Board). She brought this action solely in her official capacity and is represented in
25 this matter by Xavier Becerra, Attorney General of the State of California, via Joshua M.
26 Templet, Deputy Attorney General.

27 2. Respondent Cindy Nguyen Sirois, M.D. (Respondent) is representing herself in this
28 proceeding and has chosen not to exercise her right to be represented by counsel.

1
2 3. On or about March 3, 2000, the Board issued Physician's and Surgeon's Certificate
3 No. A 71013 to Cindy Nguyen Sirois, M.D. (Respondent). The Physician's and Surgeon's
4 Certificate was in full force and effect at all times relevant to the charges brought in Accusation
5 No. 800-2018-044837, and will expire on December 31, 2019, unless renewed.

6 **JURISDICTION**

7 4. Accusation No. 800-2018-044837 (Accusation) was filed before the Board, and is
8 currently pending against Respondent. The Accusation and all other statutorily required
9 documents were properly served on Respondent on August 29, 2018. Respondent timely filed her
10 Notice of Defense contesting the Accusation.

11 5. A copy of the Accusation is attached as **Exhibit A** and incorporated herein by
12 reference.

13 **ADVISEMENT AND WAIVERS**

14 6. Respondent has carefully read and understands the charges and allegations in the
15 Accusation. Respondent has also carefully read and understands the effects of this Stipulated
16 Settlement and Disciplinary Order.

17 7. Respondent is fully aware of her legal rights in this matter, including the right to a
18 hearing on the charges and allegations in the Accusation; the right to be represented by counsel at
19 her own expense; the right to confront and cross-examine the witnesses against her; the right to
20 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to
21 compel the attendance of witnesses and the production of documents; the right to reconsideration
22 and court review of an adverse decision; and all other rights accorded by the California
23 Administrative Procedure Act and other applicable laws.

24 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
25 every right set forth above.

26 **CULPABILITY**

27 9. Respondent admits the truth of each and every charge and allegation in the
28 Accusation.

1
2 10. Respondent agrees that her Physician's and Surgeon's Certificate is subject to
3 discipline and she agrees to be bound by the Board's probationary terms as set forth in the
4 Disciplinary Order below.

5 **CONTINGENCY**

6 11. This stipulation shall be subject to approval by the Board. Respondent understands
7 and agrees that counsel for Complainant and the staff of the Board may communicate directly
8 with the Board regarding this stipulation and settlement, without notice to or participation by
9 Respondent. By signing the stipulation, Respondent understands and agrees that she may not
10 withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers
11 and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the
12 Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this
13 paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not
14 be disqualified from further action by having considered this matter.

15 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
16 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
17 signatures thereto, shall have the same force and effect as the originals.

18 13. In consideration of the foregoing admissions and stipulations, the parties agree that
19 the Board may, without further notice or formal proceeding, issue and enter the following
20 Disciplinary Order:

21 **DISCIPLINARY ORDER**

22 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 71013 issued
23 to Respondent Cindy Nguyen Sirois, M.D. is revoked. However, the revocation is stayed and
24 Respondent is placed on probation for three years with the following terms and conditions:

25 1. **PROFESSIONALISM PROGRAM (ETHICS COURSE)**. Within six months of the
26 effective date of this Decision, Respondent shall enroll in a professionalism program that meets
27 the requirements of title 16, California Code of Regulations, section 1358.1. Respondent shall
28 participate in and successfully complete that program. Respondent shall provide any information

1 and documents that the program may deem pertinent. Respondent shall successfully complete the
2 classroom component of the program not later than twelve months after Respondent's initial
3 enrollment and the longitudinal component of the program not later than the time specified by the
4 program, but no later than 24 months after attending the classroom component. The
5 professionalism program shall be at Respondent's expense and shall be in addition to the
6 Continuing Medical Education requirements for renewal of licensure.

7 A professionalism program taken after the acts that gave rise to the charges in the
8 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
9 or its designee, be accepted towards the fulfillment of this condition if the program would have
10 been approved by the Board or its designee had the program been taken after the effective date of
11 this Decision.

12 Respondent shall submit a certification of successful completion to the Board or its
13 designee not later than 15 calendar days after successfully completing the program or not later
14 than 15 calendar days after the effective date of the Decision, whichever is later.

15 2. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
16 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
17 Chief Executive Officer at every hospital where privileges or membership are extended to
18 Respondent, at any other facility where Respondent engages in the practice of medicine,
19 including all physician and locum tenens registries or other similar agencies, and to the Chief
20 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
21 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
22 calendar days.

23 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

24 3. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
25 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
26 advanced practice nurses.

27 4. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
28 governing the practice of medicine in California and remain in full compliance with any court

1 ordered criminal probation, payments, and other orders.

2 5. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
3 under penalty of perjury on forms provided by the Board, stating whether there has been
4 compliance with all the conditions of probation.

5 Respondent shall submit quarterly declarations not later than 10 calendar days after the end
6 of the preceding quarter.

7 6. GENERAL PROBATION REQUIREMENTS.

8 Compliance with Probation Unit

9 Respondent shall comply with the Board's probation unit.

10 Address Changes

11 Respondent shall, at all times, keep the Board informed of Respondent's business and
12 residence addresses, email address (if available), and telephone number. Changes of such
13 addresses shall be immediately communicated in writing to the Board or its designee. Under no
14 circumstances shall a post office box serve as an address of record, except as allowed by Business
15 and Professions Code section 2021(b).

16 Place of Practice

17 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
18 of residence, apart from practicing teleradiology in Respondent's place of residence, unless the
19 patient resides in a skilled nursing facility or other similar licensed facility.

20 License Renewal

21 Respondent shall maintain a current and renewed California physician's and surgeon's
22 license.

23 Travel or Residence Outside California

24 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
25 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
26 (30) calendar days.

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1 In the event Respondent should leave the State of California to reside or to practice,
2 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
3 departure and return.

4 7. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be
5 available in person upon request for interviews either at Respondent's place of business or at the
6 probation unit office, with or without prior notice throughout the term of probation.

7 8. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
8 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
9 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
10 defined as any period of time Respondent is not practicing medicine as defined in Business and
11 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
12 patient care, clinical activity or teaching, or other activity as approved by the Board. If
13 Respondent resides in California and is considered to be in non-practice, Respondent shall
14 comply with all terms and conditions of probation. All time spent in an intensive training program
15 which has been approved by the Board or its designee shall not be considered non-practice and
16 does not relieve Respondent from complying with all the terms and conditions of probation.
17 Practicing medicine in another state of the United States or Federal jurisdiction while on
18 probation with the medical licensing authority of that state or jurisdiction shall not be considered
19 non-practice. A Board-ordered suspension of practice shall not be considered as a period of non-
20 practice.

21 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
22 months, Respondent shall successfully complete the Federation of State Medical Boards's Special
23 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
24 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
25 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

26 Respondent's period of non-practice while on probation shall not exceed two (2) years.

27 Periods of non-practice will not apply to the reduction of the probationary term.

28 Periods of non-practice for a Respondent residing outside of California will relieve

Respondent of the responsibility to comply with the probationary terms and conditions with the exception of this condition and the following terms and conditions of probation: Obey All Laws; General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or Controlled Substances; and Biological Fluid Testing.

9. COMPLETION OF PROBATION. Respondent shall comply with all financial obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the completion of probation. Upon successful completion of probation, Respondent's certificate shall be fully restored.

10. VIOLATION OF PROBATION. Failure to fully comply with any term or condition of probation is a violation of probation. If Respondent violates probation in any respect, the Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation, or an Interim Suspension Order is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

11. LICENSE SURRENDER. Following the effective date of this Decision, if Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy the terms and conditions of probation, Respondent may request to surrender his or her license. The Board reserves the right to evaluate Respondent's request and to exercise its discretion in determining whether or not to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its designee and Respondent shall no longer practice medicine. Respondent will no longer be subject to the terms and conditions of probation. If Respondent re-applies for a medical license, the application shall be treated as a petition for reinstatement of a revoked certificate.

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1 12. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
2 with probation monitoring each and every year of probation, as designated by the Board, which
3 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
4 California and delivered to the Board or its designee no later than January 31 of each calendar
5 year.

6
7 ACCEPTANCE

8 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
9 stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this
10 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
11 to be bound by the Decision and Order of the Medical Board of California.

12
13 DATED: 11/29/18


CINDY NGUYEN SIROIS, M.D.
Respondent

14
15
16 ENDORSEMENT

17 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
18 submitted for consideration by the Medical Board of California.

19
20 Dated: 12/3/2018

Respectfully submitted,

21 XAVIER BECERRA
22 Attorney General of California
23 MARY CAIN-SIMON
24 Supervising Deputy Attorney General

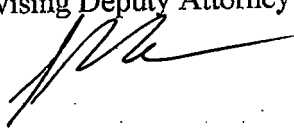

25 JOSHUA M. TEMPLET
26 Deputy Attorney General
27 Attorneys for Complainant

Exhibit A

Accusation No. 800-2018-044837

1 XAVIER BECERRA
2 Attorney General of California
3 MARY CAIN-SIMON
4 Supervising Deputy Attorney General
5 JOSHUA M. TEMPLET
6 Deputy Attorney General
7 State Bar No. 267098
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 510-3533
Facsimile: (415) 703-5480
E-mail: Joshua.Templet@doj.ca.gov
Attorneys for Complainant

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO Aug. 29 2018
BY YANA PETER ANALYST

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2018-044837

13 **Cindy Nguyen Sirois, M.D.**
14 **7 Cayuga Road**
Sea Ranch Lakes, FL 33308-2928

ACCUSATION

15 **Physician's and Surgeon's Certificate**
16 **No. A 71013,**

Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer
22 Affairs (Board).

23 2. On or about March 3, 2000, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A 71013 to Cindy Nguyen Sirois, M.D. (Respondent). The certificate was in
25 full force and effect at all times relevant to the charges brought herein and will expire on
26 December 31, 2019, unless renewed.

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28 ///

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2004 of the Code provides that the Board shall have the responsibility for the enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

5. Section 2227 of the Code authorizes the Board to take action against a licensee who has been found guilty under the Medical Practice Act by revoking his or her license, suspending the license for a period not to exceed one year, placing the license on probation and requiring payment of costs of probation monitoring, or taking such other action as the Board deems proper.

6. Section 141 of the Code states as follows:

(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country.

7. Section 2305 of the Code states as follows:

The revocation, suspension, or other discipline, restriction, or limitation imposed by another state upon a license or certificate to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California of a licensee under this chapter, shall constitute grounds for disciplinary action for unprofessional conduct against the licensee in this state.

KENTUCKY STATUTE IN UNDERLYING OUT-OF-STATE DISCIPLINARY MATTER

8. Section 311.595 of the Kentucky Revised Statutes states as follows:

If the power has not been transferred by statute to some other board, commission, or agency of this state, the board may deny an application or reregistration for a license; place a licensee on probation for a period not to exceed five (5) years; suspend a license for a period not to exceed five (5) years; limit or restrict a license for an indefinite period; or revoke any license heretofore or hereafter issued by the board,

upon proof that the licensee has:

(1) Knowingly made or presented, or caused to be made or presented, any false, fraudulent, or forged statement, writing, certificate, diploma, or other thing, in connection with an application for a license or permit;

...

(9) Engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public or any member thereof;

...

(12) Violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate any provision or term of any medical practice act, including but not limited to the code of conduct promulgated by the board under KRS 311.601 or any other valid regulation of the board;

...

(17) Had his license to practice medicine or osteopathy in any other state, territory, or foreign nation revoked, suspended, restricted, or limited or has been subjected to other disciplinary action by the licensing authority thereof. This subsection shall not require relitigation of the disciplinary action;

...

CAUSE FOR DISCIPLINE

(Discipline, Restriction, or Limitation Imposed by another State)

9. On May 23, 2018, Respondent entered into an Agreed Order with the Kentucky Board of Medical Licensure ("Kentucky Board"), a copy of which is attached as Exhibit A. Among the Stipulations of Fact included in Agreed Order are the following:

4. In or around October 2014, Patient A presented to a Florida emergency department with upper back pain and left arm numbness. The patient was admitted to the hospital for possible acute coronary syndrome. The patient also complained of neck pain. An MRI without contrast of his cervical spine was performed. The licensee reviewed Patient A's MRI and identified multi-level degenerative disk disease, but failed to recognize or report the presence of an intraspinal fluid collection. The patient was discharged from the hospital but returned two days later with increased pain and right sided weakness. A repeat MRI, also read by the licensee, now showed an enlarged fluid collection or epidural abscess compressing the cervical spinal cord. Patient A underwent surgical drainage of the epidural abscess but was left with significant long term neurologic injury.

5. In or around June 2016, the licensee settled Patient A's malpractice action against her with a payment of \$250,000.

6. On or about February 28, 2017, the licensee submitted a 2017 Application for Renewal of Kentucky Medical/Osteopathic License and answered "No" to Question No. 11, "Since you last registered, have you had to pay a settlement or judgment of \$250,000 or greater in a malpractice action or other civil action against your medical

practice?"

...

9. In or around December 2017, the licensee freely and willingly entered into a Consent Order with the [Illinois Department of Financial and Professional Regulation, "Illinois Board"], in which she stipulated that she had been disciplined by the NC Board and was subject to discipline of her Illinois medical license, and in which she consented to the imposition of the disciplinary measure of reprimand.

10. The Illinois Consent Order became effective upon the signing and approval of the Illinois Board's director, on January 24, 2018.

11. The licensee did not report the disciplinary action taken by the Illinois Board within ten days of the January 24, 2018 Consent Order as required by 201 KAR 9:081(9)(1)(e).

10. Among the Stipulated Conclusions of Law in the Agreed Order are the following:

4. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(1), (9), (12) and (17). Accordingly, there are legal grounds for the parties to enter into this Agreed Order.

11. Based on the Stipulations of Fact and Stipulated Conclusions of Law, the Agreed Order imposed the following discipline, restrictions, and/or limitations on Respondent's practice of medicine in Kentucky: (i) Respondent's license to practice medicine in Kentucky was "placed on probation for a period of up to five (5) years"; (ii) Respondent's license was reprimanded; and (iii) Respondent was ordered to pay a fine of \$1,000.

12. The Colorado Medical Board ("Colorado Board") also took disciplinary action against Respondent based on her October 2014 emergency department patient care in Florida, as set forth above. On March 8, 2018, the Colorado Board issued a letter of admonition, attached and incorporated as Exhibit B.

13. The letter of admonition provides that Respondent's care and treatment of the patient, specifically, her failure to recognize the spinal fluid collection in the patient's first MRI, "fell below the generally accepted standards of practice for a physician, constituting unprofessional conduct" The letter of admonition provides that it constitutes disciplinary action.

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14. Respondent's conduct and the action of the Kentucky Board as set forth above are substantially related to the practice of medicine and constitute unprofessional conduct within the meaning of Code section 2305 and conduct subject to discipline within the meaning of Code section 141(a).

DISCIPLINARY CONSIDERATIONS

15. Respondent was previously disciplined by the Board in Case Number 16-2007-184171, titled "In the Matter of the Accusation Against Cindy Nguyen Sirois, M.D." On June 16, 2008, the Board adopted a Decision and Order publicly reprimanding Respondent. The reprimand was based on Respondent's 2007 discipline in Alaska, where the medical licensing authority found that Respondent neglected to report having been investigated for failure to complete required continuing medical education.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Medical Board of California issue a decision:

1. Revoking or suspending Physician's and Surgeon's Certificate Number A 71013, issued to Respondent;
2. Revoking, suspending or denying approval of Respondent's authority to supervise physician assistants and advanced practice nurses;
3. Ordering Respondent, if placed on probation, to pay the Board the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: August 29, 2018


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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21198478.doc

EXHIBIT A

COMMONWEALTH OF KENTUCKY
BOARD OF MEDICAL LICENSURE
CASE NO. 1859

MAY 23 2018

K.B.M.L.

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF
KENTUCKY HELD BY CINDY SIROIS, M.D., LICENSE NO. 45122, 7
CAYUGA ROAD, SEA RANCH LAKES, FLORIDA 33308

AGREED ORDER

Come now the Kentucky Board of Medical Licensure (hereafter "the Board"), acting by and through its Inquiry Panel B, and CINDY SIROIS, M.D., (hereafter "the licensee"), and, based upon their mutual desire to fully and finally resolve this pending investigation without an evidentiary hearing, hereby ENTER INTO the following AGREED ORDER:

STIPULATIONS OF FACT

The parties stipulate the following facts, which serve as the factual bases for this Agreed Order:

1. At all relevant times, Cindy Sirois, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is diagnostic radiology.
3. The licensee is also licensed by the North Carolina Medical Board ("NC Board") to practice medicine in North Carolina and by the Illinois Department of Financial and Professional Regulation ("Illinois Board") to practice medicine in Illinois.
4. In or around October 2014, Patient A presented to a Florida emergency department with upper back pain and left arm numbness. The patient was admitted to the hospital for possible acute coronary syndrome. The patient also complained of neck pain. An MRI without contrast of his cervical spine was performed. The licensee reviewed Patient A's MRI and identified multi-level degenerative disk disease, but

failed to recognize or report the presence of an intraspinal fluid collection. The patient was discharged from the hospital but returned two days later with increased pain and right sided weakness. A repeat MRI, also read by the licensee, now showed an enlarged fluid collection or epidural abscess compressing the cervical spinal cord. Patient A underwent surgical drainage of the epidural abscess but was left with significant long term neurologic injury.

5. In or around June 2016, the licensee settled Patient A's malpractice action against her with a payment of \$250,000.
6. On or about February 28, 2017, the licensee submitted a 2017 Application for Renewal of Kentucky Medical/Osteopathic License and answered "No" to Question No. 11, "Since you last registered, have you had to pay a settlement or judgment of \$250,000 or greater in a malpractice action or other civil action against your medical practice?"
7. In or around September 2017, the NC Board reviewed the licensee's interpretation of Patient A's MRI, and found that the licensee's interpretation did not meet the standard of care because the licensee did not recognize the readily apparent spinal fluid collection on the first MRI.
8. On or about September 18, 2017, the NC Board chose not to commence formal proceedings against the licensee's North Carolina medical license, but chose to issue a public letter of concern.
9. In or around December 2017, the licensee freely and willingly entered into a Consent Order with the Illinois Board, in which she stipulated that she had been disciplined by the NC Board and was subject to discipline of her Illinois medical

license, and in which she consented to the imposition of the disciplinary measure of reprimand.

10. The Illinois Consent Order became effective upon the signing and approval of the Illinois Board's director, on January 24, 2018.
11. The licensee did not report the disciplinary action taken by the Illinois Board within ten days of the January 24, 2018 Consent Order as required by 201 KAR 9:081(9)(1)(e).

STIPULATED CONCLUSIONS OF LAW

The parties stipulate the following Conclusions of Law, which serve as the legal bases for this Agreed Order:

1. The licensee's Kentucky medical license is subject to regulation and discipline by the Board.
2. The Board's regulation, 201 KAR 9:081 Section 9(1)(g), provides that a licensee's failure to report action taken by another licensing board in another state, shall constitute a violation of KRS 311.595(9) and (12) and that the Panel shall impose a fine of up to \$5,000 if a licensee fails to report an action by another licensing board in any other state within ten (10) days.

3. The Board's regulation, 201 KAR 9:081 Section 9(4)(c) provides,

If a licensee has had disciplinary action taken against or sanctions imposed upon the licensee's license to practice medicine or osteopathy in any state, the appropriate panel:

- 1a. Shall, at a minimum, impose the same substantive sanctions as a disciplinary sanction against the licensee's Kentucky license; and
- b. May take any appropriate additional disciplinary action against the licensee; or
2. Shall revoke the license, based upon the facts available to the Panel at the time of action.

4. Based upon the Stipulations of Fact, the licensee has engaged in conduct which violates the provisions of KRS 311.595(1), (9), (12) and (17). Accordingly, there are legal grounds for the parties to enter into this Agreed Order.
5. Pursuant to KRS 311.591(6) and 201 KAR 9:082, the parties may fully and finally resolve this pending investigation without an evidentiary hearing by entering into an informal resolution such as this Agreed Order.

AGREED ORDER


Based upon the foregoing Stipulations of Fact and Stipulated Conclusions of Law, and, based upon their mutual desire to fully and finally resolve this pending investigation without an evidentiary hearing, the parties hereby ENTER INTO the following **AGREED ORDER:**

1. The license to practice medicine in the Commonwealth of Kentucky held by CINDY SIROIS, M.D., is hereby PLACED ON PROBATION FOR A PERIOD OF UP TO FIVE (5) YEARS, with that period of probation to become effective immediately upon the filing of this Agreed Order.
2. During the effective period of this Agreed Order, the licensee's medical license SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:
 - a. The licensee is hereby reprimanded;
 - b. Within one (1) year from the date of entry of this Agreed Order and pursuant to KRS 311.565(1)(v) and 201 KAR 9:081 Section 9(1)(g)(2)(a), the licensee SHALL submit payment of a FINE in the amount of one-thousand dollars (\$1,000) to the Board; and
 - c. The licensee SHALL NOT violate any provision of KRS 311.595 and/or 311.597.

3. Upon proof of the licensee's payment of the fine, in full, the Board agrees to terminate this Agreed Order.
4. The licensee expressly agrees that if she should violate any term or condition of this Agreed Order, the licensee's practice will constitute an immediate danger to the public health, safety, or welfare, as provided in KRS 311.592 and 13B.125. The parties further agree that if the Board should receive information that she has violated any term or condition of this Agreed Order, the Panel Chair is authorized by law to enter an Emergency Order of Suspension or Restriction immediately upon a finding of probable cause that a violation has occurred, after an *ex parte* presentation of the relevant facts by the Board's General Counsel or Assistant General Counsel. If the Panel Chair should issue such an Emergency Order, the parties agree and stipulate that a violation of any term or condition of this Agreed Order would render the licensee's practice an immediate danger to the health, welfare and safety of patients and the general public, pursuant to KRS 311.592 and 13B.125; accordingly, the only relevant question for any emergency hearing conducted pursuant to KRS 13B.125 would be whether the licensee violated a term or condition of this Agreed Order.
5. The licensee understands and agrees that any violation of the terms of this Agreed Order would provide a legal basis for additional disciplinary action, including revocation, pursuant to KRS 311.595(13), and may provide a legal basis for criminal prosecution.


SO AGREED on this 23rd day of May, 2018.

FOR THE LICENSEE:


CINDY SIROI, M.D.

COUNSEL FOR LICENSEE
(IF APPLICABLE)

FOR THE BOARD:


RANDEL C. GIBSON, D.O.
CHAIR, INQUIRY PANEL B

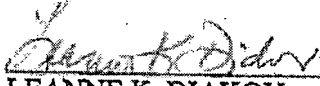

LEANNE K. DIAKOV
General Counsel
Kentucky Board of Medical Licensure
310 Whittington Parkway, Suite 1B
Louisville, Kentucky 40222
(502) 429-7150

EXHIBIT B



COLORADO

Department of
Regulatory Agencies

Division of Professions and Occupations



VIA CERTIFIED MAIL

March 8, 2018

Case No. 2017-5531-A

Cindy N. Sirois, M.D.

Dear Dr. Sirois:

Inquiry Panel A ("Panel") of the Colorado Medical Board ("Board") has concluded its inquiry regarding your care and treatment of patient A.V. It was the Panel's decision not to commence with formal proceedings against your license to practice medicine. However, the Panel did vote to administer disciplinary action to you in the form of this letter of admonition.

As you recall, in October 2014, patient A.V., a 75-year-old-male, presented to the Emergency Department for symptoms of upper back pain and left arm numbness. The patient was admitted to the hospital for possible acute coronary syndrome, chest pain and myocardial infarction. The patient later complained of neck pain and a magnetic resonance imaging ("MRI") of the cervical spine without contrast was performed. You reviewed the patient's MRI and failed to recognize or report the presence of a readily apparent intraspinal fluid collection. After discharge, the patient returned two days later with increased pain and right sided weakness. A repeat MRI, also read by you, now showed an enlarged posterior fluid collection or epidural abscess compressing the spinal cord. The patient underwent surgical drainage of the epidural abscess but was left with significant long term neurologic injury.

After a review of all the information in this matter, the Panel found that your care and treatment of patient A.V. fell below the generally accepted standards of practice for a physician, constituting unprofessional conduct in violation of section 12-36-117 of the Colorado Revised Statutes. Specifically, you failed to recognize the spinal fluid collection in the patient's first MRI.



Cindy N. Sirois, M.D.
Case No. 2017-5531-A
March 8, 2018
Page Two

By this letter, the Panel hereby admonishes you and cautions you that complaints disclosing any repetition of such practice may lead to the commencement of formal disciplinary proceedings against your license to practice medicine, wherein this letter of admonition may be entered into evidence as aggravation.

You are advised that it is your right to have this case reviewed in an administrative proceeding. To do so, you must submit a written request within twenty (20) days after receipt of this letter. In your request, you must clearly ask that formal disciplinary proceedings be initiated against you to adjudicate the propriety of the conduct upon which this letter of admonition is based. If such request is timely made, this letter of admonition will be deemed vacated, and the matter will be processed by means of a formal complaint and hearing in accordance with the provisions of the Medical Practice Act.

Sincerely,

FOR THE COLORADO MEDICAL BOARD
INQUIRY PANEL A

A handwritten signature in black ink, appearing to read "Donna M. Baldwin".

Donna M. Baldwin, D.O.

Chair

DMB/lej